

IN THE COURT OF APPEALS
FOR THE SECOND COURT OF APPEALS DISTRICT
FORT WORTH, TEXAS

FILED IN
2nd COURT OF APPEALS
FORT WORTH, TEXAS
4/2/2019 3:52:12 PM

SULIA LAWRENCE BROWN
APPELLANT

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DEBRA SPISAK
Clerk

VS.

NO: 02-19-00064-CR

THE STATE OF TEXAS
APPELLEE

**APPELLANT'S MOTION FOR EXTENSION
OF TIME FOR FILING APPELLANT'S BRIEF**

NOW COMES, SULIA LAWRENCE BROWN, Appellant, by and through his attorney, WES BALL, and requests that he be granted an extension of time for filing his brief in the above-styled and numbered cause. As grounds for granting this motion, Appellant states:

Appellant's brief is currently due on April 2, 2019. The order denying Appellant's requested habeas relief was entered on January 29, 2019 by a Magistrate Judge presiding in the Criminal District Court Number One of Tarrant County, Texas.

Appellant has been committed for nearly 7 years in a matter that originated in the 323rd District Court of Tarrant County, Texas. This case is a juvenile case. Appellant has continuously been unfit to proceed or incompetent to stand trial for the entire period and has been committed to a State mental health facility. His juvenile case was transferred to Criminal District Court Number One pursuant to §55.44 Texas Family Code based on Appellant having reached his 18th birthday.

Counsel needs additional time to adequately research and prepare his brief. This case is one of first impression. Legal research in this case will require review of criminal case law and statutes,

juvenile and family code case law and statutes. The case is complex. Also, undersigned counsel was preparing for trial in a Capital Murder case, The State of Texas v. Lajerrian Morgan, set to begin on April 1, 2019. Less than a week before commencement of trial, new evidence was discovered which has postponed that case. Finally, Appellant's counsel is scheduled to travel out of town to Minneapolis to attend the NCAA Final Four and Finals beginning April 5-9, 2019.¹

Notice of Appeal was entered on February 12, 2019. The cause number in the trial court was 1503867. No extensions of time have been previously granted in this cause. Counsel requests an extension of sixty (60) days. This request is not being made for mere purpose of delay, but so that justice can be done.

WHEREFORE PREMISES CONSIDERED, Appellant prays that this Honorable Court grant an extension of sixty (60) days for filing his brief on appeal to June 1, 2019.

Respectfully submitted,

/s/ Wes Ball

WES BALL

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ATTORNEY FOR APPELLANT

¹ Wreck 'em Tech.

CERTIFICATE OF SERVICE

On this the 2nd day of April, 2019, a true and correct copy of the above and foregoing Appellant's Motion for Extension of Time for Filing Appellant's Brief was delivered electronically to the Post-Conviction Division of the Tarrant County District Attorney's Office.

/s/ Wes Ball

WES BALL
Attorney for Appellant

CERTIFICATE OF CONFERENCE

On the 2nd day of April, 2019, Malinda Davis, assistant to Appellant's counsel contacted Haley Little, assistant to Chief of Post-Conviction, Tarrant County District Attorney's Office regarding the foregoing Motion and has been advised that the state does not oppose the Motion.

/s/ Wes Ball

WES BALL